IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 1907 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 04/11/2004 in WP NO : 20258 OF 2004 on the file of the High Court.)

Between:

Y. Chinna Reddiah, S/o. Late Siva Ramaiah,
R/o. H.No. 85/119, Pathagullapalli, Rayachoti Town, Kadapa District.

..... APPELLANT

AND

The Divisional Forest Officer, Mojam Jahi Market, Hyderabad.

.....RESPONDENT

Counsel for the Appellant:MR.K.G.KRISHNA MURTHY

Counsel for the Respondent: GP FOR FORESTS

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Vehicle bearing No.AP 07 S 9441 along with TATA Siera bearing No.MH 12 W/5990 together with one Suzuki Motor Cycle bearing No.AP 15 9276 were seized. Cr.No.339 of 2004 under Section 29(4)(a)(i) of the A.P. Forest Act, 1967 read with Rule 3(2) of A.P. Sandal Wood Transit Act, 1969 was registered against the petitioner and seven others. Petitioner and other admitted that red sanders was purchased from accused No.9 who absconded from the scene of offence. Being a matter in which serious forest offence has been committed, no exceptional circumstances have been brought to our notice nor there is any exceptional circumstance permitting the vehicle to be released. This is more so in view of the ratio of the decision of the Supreme Court in STATE OF KARNATAKA vs K. KRISHNAN [2000 (7) SCC 80] followed in SECTION FORESTOR AND ANOTHER vs MANSUR ALI KHAN [2003 (8) Supreme 642]. Learned single Judge rightly dismissed the writ petition.

Appeal dismissed.

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DEVINDER GUPTA, CJ

16-12-2004

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M.NARAYANA REDDY, J

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To

1. The Divisional Forest Officer, Mojam Jahi Market, Hyderabad.
2. 2 CCs to the Govt. Pleader for Forests, High Court buildings, Hyderabad (OUT).
3. 2 CD copies.